

REMARKS

Claims 1-4, all the claims pending in the application, stand rejected. Claims 2 and 3, are amended.

Claim Objection

Claim 3 is objected to because there is no period (.). Applicant has amended the claim in order to remedy this typographical error.

Claim Rejections - 35 U.S.C. § 102

Claim 1 is rejected under 35 U.S.C. § 102(e) as being anticipated by Miyaki et al (2001/0055464). This rejection is traversed for at least the following reasons.

Claim 1 is directed to a creation system for synchronized melody and image information. The claimed system includes “event information insertion means” for inserting event information and melody information at a timing of image renewal, so that the image may be reproduced in synchronization with the melody. This structure corresponds to the melody and image synchronous generation system illustrated in Fig. 1, particularly the storage means 10 having melody data 12, image data 14 and a scheduled program 16 for controlling a schedule of timing at which the melody data and the image data are changed, respectively. A schedule making means 20 makes a reproduction schedule of the melody data by executing the scheduled program 16.

In the present application, Fig. 6 provides a block diagram illustrating the process of causing event-generating information to be contained in melody data, wherein “event information” is inserted into melody data at the timing of image renewal. As is clear from the data arrangement illustrated in Fig. 2, synthesized melody data that is generated over time has event timing information inserted therein.

Miyaki et al

The Examiner asserts that Miyaki et al teaches a creation system for melody and synchronous image information at section [0038], particularly lines 9-12, and section [0072], at lines 16-25.

However, Miyaki et al at Paragraphs [0036]-[0038] describes a system for reproducing object information in synchronization with the performance of a song, where the object information includes image information (still picture or moving picture). Information indicative of the progressive state of the performance of the song, musical tone waveform information and voice information are included. Moreover, a clock signal, whose cycle corresponds to a performance tempo of the song, is supplied from an external clock device 2. As a result, the device 1 in Fig. 1 reproduces the object information in synchronization with the clock signal. Thus, both of the music performance information of a song and the object information can be reproduced and outputted in the synchronous information reproduction apparatus 1.

A more detailed explanation of the manner in which reproduction of the song is accomplished is provided at Paragraphs [0070]-[0072].

Notably, none of this information concerns the actual creation of melody and image synchronous information. Thus, Applicant respectfully submits that the reference does not anticipate the present invention since it is only concerned with reproduction and not creation.

Claims 2-4 are rejected under 35 U.S.C. § 102(e) as being anticipated by Futamase et al (2004/0007120). This rejection is traversed for at least the following reasons.

Claims 2-4 are concerned with melody and image synchronous generation system that reproduces a combination of melody and image based upon accompanying timing data. The claim requires a “melody generating means” for generating melody based on melody information, “image generating means” for generating images and “event information detection means” for detecting event information that is inserted in the melody information. The detected event information is used by the image generation means to generate images at an appropriate timing.

This feature relates to the structure in Fig. 1 wherein event timing detection means 30 receives melody data combined with scheduling data and controls the generation of sound by generator 50 as well as the timing of an image by controlling image timing control means 40 that is coupled to image generator 60. A combined audio and video output will result at speaker 70 and display panel 80.

Notably, in the processing illustrated in the flowcharts of Figs. 3 and 5, the detection of event information in melody information will result in the delivery of the event information to the image timing control means (S105, S204) followed an instruction for image renewal (S106, S205). As a result, images are renewed (S107, S206) and the renewed images are displayed (S108, S207). Where there is no event information detected, the melody information is simply delivered to the melody generator and outputted (S103, S104; S202, S203).

Futamase et al

The Examiner asserts that Futamase et al teaches a melody and image synchronous generation system where a melody generation means is disclosed at sections [0195] and [0196], and an event information detection means, which detects event information inserted in the melody information, is disclosed at section [0203]. Finally, the image generation means is identified at sections [0206] and [0207].

Futamase primarily concerns a portable telephone terminal that has the capability of sounding a melodious ringing tone. Futamase et al is particularly concerned with a sound control apparatus that facilitates the setting, editing and creating of music tone information, such as timbre and effect for producing a melody sound at call termination. It also concerns the generation of background music for a telephone call, by combining two or more tones at a time by use of an FM tone generator, as summarized at Paragraph [0004]. Futamase et al also has the object of providing a karaoke play by synchronously treating music performance and words display, as disclosed at Paragraph [0006].

Fig. 16, which is described at Paragraph [0215] shows a functional block diagram illustrating synchronization between music performance and word display in the terminal system of an embodiment of the invention. Information recorded in main ROM 2 beforehand is stored in an information recording form compliant with a localized format for the terminal as explained at Paragraph [0216], if the selected music information has words data WK, the selected music information is separated in an information separate block KB2 and to performance data PK and words data WK, which are passed to a data controller block KB3 along with control command.

Amendment under 37 C.F.R. § 1.111
Application No. 10/688,888

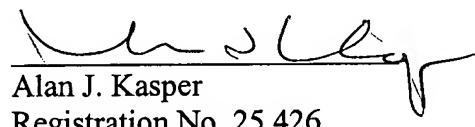
The present invention is simpler than that in Futamase et al, particularly with respect to the manner in which the processing according to the flowcharts in Figs. 3 and 5 is performed. For example, the delivery of melody information on a continuous basis until event information is detected at step S102 and S201, respectively, and the delivery of image information until a new event information is detected, is a clear basis for asserting patentability. Nothing in Futamase et al teaches this feature.

Applicant has amended claim 2 in order to add limitations that focus on that feature, which is not found in the prior art. Accordingly, the claims should be patentable.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Alan J. Kasper
Registration No. 25,426

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
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